IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Notice of Motion No.1277 of 2007
In
Appeal (L) No.144 of 2007
In
Misc.Petition No.48 of 2006
In

Testamentary Petition No.940 of 1978

Merlyn Catherine Fialho. .. Appellant

Vs.

Malcolm Philip Francis John D'Lima
alias Mally D'Lima. .. Respondent

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Ms Naina Dhupia i/b Nameet & Co. for the appellant.

Shri Karl Shroff for the respondent.

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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 17TH APRIL, 2007

P.C.

1. Taken on board on request.

2. Heard the learned advocates for the parties. Considering the facts disclosed in the affidavit in support of the Notice of Motion, the delay of 10 days in filing the appeal is hereby condoned and the notice of motion is made absolute in terms of prayer clause

(A). The appeal to be listed for final disposal at the admission stage on 27th April, 2007. Notice of Motion stands disposed of.

3. Shri Shroff, the learned advocate waives service for the respondent.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)